

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

THE STATE OF TEXAS AND  
THE STATE OF MISSOURI,

*PLAINTIFFS,*

V.

DONALD J. TRUMP, IN HIS OFFICIAL  
CAPACITY AS PRESIDENT OF THE UNITED  
STATES OF AMERICA, *ET AL.*,

*DEFENDANTS.*

CASE NO. 2:21-CV-00067-Z

**JOINT STATUS REPORT**

Plaintiffs State of Texas and State of Missouri and Defendants<sup>1</sup> Donald J. Trump, in his official capacity as President of the United States of America; United States Department of Homeland Security (“DHS”); Kristi Noem, in her official capacity as Secretary of DHS; Defendant Christopher C. Pratt in his capacity as Under Secretary of DHS for the Office of Strategy, Policy, and Plans; Defendant Rodney Scott in his official capacity as Commissioner of United States Customs and Border Protection; Defendant Todd Lyons in his official capacity as Director of United States Immigration and Customs Enforcement; and Defendant Joseph B. Edlow in his official capacity as Director of United States Citizenship and Immigration Services, file this Joint Status Report in accordance with the Court’s Order dated February 5, 2025 (ECF No. 213).

The Court entered its Opinion and Order (ECF No. 178) dated December 15, 2022 (the “Stay Order”), and that Stay Order remains in effect today. The Stay Order stayed the effectiveness of actions by Defendants dated October 29, 2021 (the “October 29 Memoranda”)

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<sup>1</sup> Pursuant to Fed. R. Civ. Proc. 25(d), the successors to the original defendants in this action who were sued in their official capacities are automatically substituted herein as defendants.

and the corresponding decision by the Biden Administration to terminate the Migrant Protection Protocols program (“MPP”).

As the Court has noted, on January 21, 2025, DHS announced that the situation at the border is favorable to resuming implementation of MPP. That announcement, however, has not rendered this case moot. In *Immigrant Defenders Law Center, et al. v. Noem, et al.*, Case No. 2:20-cv-09893-JGB-SHK (C. D. Cal.), the District Court on April 16, 2025, entered a nationwide stay of the reimplementaion of MPP pursuant to Section 705 of the Administrative Procedure Act, 5 U. S. C. § 705 (the “2025 MPP Stay”). ECF No. 405, Case No. 2:20-cv-9893 (C. D. Cal.), 2025 U. S. Dist. LEXIS 72707 (C. D. Cal. 2025).

DHS and other defendants appealed the 2025 MPP Stay to the Ninth Circuit Court of Appeals. Case No. 25-2581 (9<sup>th</sup> Cir.). The Appellants moved on an emergency basis for a stay pending appeal of the District Court’s 2025 MPP Stay. On July 18, 2025, a divided panel of the Ninth Circuit Court of Appeals declined to fully stay the 2025 MPP Stay pending appeal, but limited the effect of the 2025 MPP Stay to the sole Plaintiff who sought relief. ECF No. 46.1, Case No. 25-2581 (9<sup>th</sup> Cir.), 2025 U. S. App. LEXIS 17884 (9<sup>th</sup> Cir. 2025). The appeal of the 2025 MPP Stay to the Ninth Circuit remains pending; oral argument of that appeal has been scheduled for August 21, 2025; and Defendants cannot predict when that appeal will be decided.

For these reasons, the parties in this case agree that this case is not moot. The parties are conferring regarding possible agreed resolution of this case and jointly request that this case be stayed until September 30, 2025. The parties propose to file a joint status report by September 30, 2025, if the parties have not advised this Court of a proposed agreed resolution of this case before that date.

Date: July 30, 2025

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Respectfully submitted.

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**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on July 30, 2025 and that all counsel of record were served by CM/ECF.

/s/ David Bryant  
**DAVID BRYANT**